

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

**RABINOWITZ, LUBETKIN & TULLY, LLC**

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Barry J. Roy

Jeffrey A. Cooper

*Proposed Counsel to Debtors*

In Re:

MASAHIKO NEGITA and YASUKO NEGITA,

Debtors.

Case No.: 23-12365 (SLM)

Judge: Meisel

Chapter: 11 (Subchapter V)

**APPLICATION FOR RETENTION OF PROFESSIONAL**

1. The applicant, Masahiko Negita and Yasuko Negita, is the (check all that apply):

- ☐ Trustee: ☐ Chap. 7 ☐ Chap. 11 ☐ Chap. 13.  
☒ Debtor: ☒ Chap. 11 ☐ Chap. 13  
☐ Official Committee of \_\_\_\_\_

2. The applicant seeks to retain the following professional Coldwell Banker Realty  
("Coldwell") to serve as (check all that apply):

- ☐ Attorney for: ☐ Trustee ☐ Debtor-in-Possession  
☐ Official Committee of \_\_\_\_\_  
☐ Accountant for: ☐ Trustee ☐ Debtor-in-possession  
☐ Official Committee of \_\_\_\_\_

☒ Other Professional:

- ☒ Realtor                      ☐ Appraiser                      ☐ Special Counsel
- ☐ Auctioneer                      ☐ Other (specify): \_\_\_\_\_

3. The employment of the professional is necessary because:  
The Debtors require a real estate broker to sell real property owned by the Debtors in Tenafly, New Jersey.
4. The professional has been selected because:  
of its considerable experience in the field of real estate sales. The Debtors believe that Coldwell is well qualified to represent them in this Chapter 11.
5. The professional services to be rendered are as follows:
- a. Provide real estate broker services;
  - b. Introduce potential buyers to the Debtors' property; and
  - c. Perform such other services in connection with the sale of Debtors' real estate as may be necessary and appropriate.
6. The proposed arrangement for compensation is as follows: It is contemplated that Coldwell will be compensated for the services described herein at a commission rate of 5% of the purchase price of the real property owned by the Debtors pursuant to the provisions of §§ 330 and 331 of the Bankruptcy Code. Payment to Coldwell of any commission incurred shall occur only upon notice to all interested parties, including the United States Trustee, pursuant to §§ 330 and 331 of the Code.
7. To the best of the applicant's knowledge, the professional's connection with the debtor, creditors, any other party in interest, their respective attorneys and accountants, the United States trustee, or

any person employed in the office of the United States trustee, is as follows:

☒ None

☐ Describe connection:

8. To the best of the applicant's knowledge, the professional (check all that apply):

☒ does not hold an adverse interest to the estate.

☒ does not represent an adverse interest to the estate.

☒ is a disinterested person under 11 U.S.C. § 101(14).

☐ does not represent or hold any interest adverse to the debtor or the estate with respect to the matter for which he/she will be retained under 11 U.S.C. § 327(e).

☐ Other; explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. If the professional is an auctioneer, appraiser or realtor, the location and description of the property is as follows: 8 Floral Terrace, Tenafly, New Jersey

The applicant respectfully requests authorization to employ the professional to render services in accordance with this application, with compensation to be paid as an administrative expense in such amounts as the Court may determine and allow.

Date: May 2, 2023

/s/ Masahiko Negita

Signature of Applicant

/s/ Yaskuko Negita

Signature of Applicant

*rev.8/1/15*